

UNITED STATES DISTRICT COURT

for the

NORTHERN DISTRICT OF CALIFORNIA

TOM GONZALES, as Personal Representative
for the Estate of Thomas J. Gonzales, II,

Plaintiff

v.

UNITED STATES OF AMERICA, the
DEPARTMENT OF TREASURY by its agency,
the INTERNAL REVENUE SERVICE,

Defendant

Civil Action No. CV-08-3189

Summons in a Civil Action

To: UNITED STATES OF AMERICA, the DEPARTMENT OF TREASURY by its agency, the IRS

(Defendant's name)

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Martin A. Schainbaum
Martin A. Schainbaum, PLC
351 California Street, Suite 800
San Francisco, CA 94104

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Date: 2 July 2008

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on 2 July 2008,
by:

(1) personally delivering a copy of each to the individual at this place, _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or

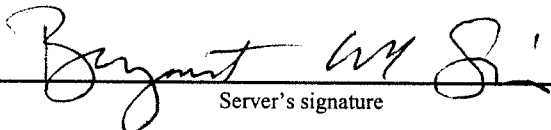
(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____; or

(4) returning the summons unexecuted to the court clerk on 2 July 2008.

My fees are \$ 0 for travel and \$ 0 for services, for a total of \$ 0.

SEE PROOF OF SERVICE ATTACHED TO COMPLAINT.

Date: 2 July 2008



Server's signature

Bryant W. H. Smith, Esq.

Printed name and title

351 California St., Ste. 800 San Francisco, CA 94104

Server's address